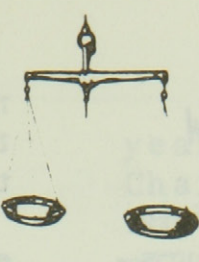


Quid Novi



VOL. II No. 2

SEPTEMBER 16, 1981

BSA Turned Down

The Board of Student Advisors program was rejected this summer by a Senate Committee and will not proceed as planned.

According to the BSA proposal, upper year students would have received 2 or 3 credits for teaching first year students legal writing and research skills in small tutorial groups. The program was begun on an experimental basis last year; but to effect a permanent curriculum change, the faculty required Senate approval.

The Senate Academic Policy Committee listed four reasons for rejecting the program:

"a) Although the Faculty alleges legal research and legal skills to be central to its program, this is done in one course;

b) This supposedly crucial skill is left in the hands of students and not faculty;

c) It is against the principle at McGill that students get credit for teaching other McGill students;

d) There is no assurance that the learning of these students is appropriately structured and/or evaluated."

Although the Committee asked that the proposal be "resubmitted with clarification" it effectively eliminated the possibility that the program proceed provisionally this

year by requesting that "(it) not be carried out under the auspices of the 'group assistants' course" as was the case last year. The result is that the Faculty cannot grant credits, as it did last year, to upper year students participating in the student advisor program.

Before last year the tutorial program was taught exclusively and often half-heartedly by professors. The experimental program was instituted in response to student requests that the course be expanded and made more meaningful. In fact the revised course, including a new casebook produced by Merle Wertheimer, and providing a more comprehensive introduction to the study of law was accepted enthusiastically by last year's entering class. Faculty Council resolved last spring to adopt the program permanently with some modifications.

Under the plan presented to the APC, the BSA would consist of fifteen student advisors, including two directors to administer the program. Each would receive two credits, except the directors who would receive three, reflecting the increased work load. Grading and most of the teaching would be done by the students in consultation with a faculty advisor who would be encouraged to attend the weekly sessions, especially those where his or her assistance could be of particular value -- namely those on legal writing and the legal profession. (Continued page 3)

LAW LIBRARY

FEB 18 1982

McGILL UNIVERSITY

FACULTY COUNCIL MEETS TOMORROW

There will be an open meeting of Faculty Council tomorrow, Thursday, September 17th, in room 202.

Faculty Council is composed of the Dean and the professors of the Faculty of Law as well as four student representatives.

Most meetings are open, and all law students are free to attend, subject only to space limitations. Persons in the gallery must, however, refrain from any expression of approval or disapproval; otherwise the Dean may "close" the meeting or order it to be continued elsewhere. Generally, only those meetings dealing with academic matters pertaining to particular students are closed. The full policy is set out on the Dean's notice board outside the Moot Court.

Any student who has not witnessed this spectacle is strongly urged to do so as it offers an excellent opportunity to see how this Faculty is run and where professors stand on the various issues that directly affect all of us.

The agenda is posted before each meeting in the L.U.S. office. This week a number of important matters will be discussed. One will be the notorious "Regulation 15" according to which a student who fails to pass 3/4 of his year's credits is out on his ear. Alternatives to this rule will be discussed. Another issue of particular importance will be the future of the Board of Student Advisors Program which was rejected by Senate this summer. Modifications will probably be proposed so that it may be resubmitted. Campbell Stuart has placed two items on the agenda. He will be raising a few complaints about the usefulness, or uselessness, of the course evaluations. This is a particularly sensitive issue as upper year students are aware. Stuart also has a proposal to make the work of Faculty Council Committees more useful. The idea is that committees should be required to submit

reports early enough in the year that they can be given proper consideration by Faculty Council.

Again, students who are interested in why things happen the way they do in this Faculty should attend.

TO ALL SECOND AND THIRD YEAR (*) STUDENTS:

If you are interested in working on the McGill Law Journal, you are requested to submit a C.V. at our offices in the basement of Old Chancellor Day Hall, by Monday, September 21, 1981. Please indicate whether you are interested in working on the management or editorial board.

Should you have any questions, please stop by our offices and chat with a member of the Senior Board or phone 845-8824.

* returning for a fourth year.

...AND SO DO THE STUDENTS

An assembly of all students will be held in the Moot Court Thursday at 1:00 p.m. The LUS executive has a number of points to discuss but any student can add his grievance to the agenda. Discussions are informal, the goal being to give feedback to our elected representatives and to vote on resolutions for future action.

Tomorrow the executive will be trying to gauge feelings on the BSA program. What happens at the assembly will probably influence the executive's arguments at Faculty Council. Therefore those who have an opinion on the subject should show up.

There will also be discussion of the possibility of constitutional reform of our student government. A number of problems in the present system have been isolated and solutions are being sought.

Any subject that raises strong opinions among students is likely to be discussed. Undoubtedly something will be said about the new exam schedule. It could be interesting.

(Continued from page 1)

Following the APC report students and faculty involved with the program met to rethink the program. Faculty members will now be responsible for handing out and marking the tutorial assignments, as was the case before last year. The student advisors, now being called "resource persons" will attend all sessions and teach those on legal research and citation.

Most of the original members of the BSA have agreed to continue with the project without credit. What disappoints these students is not that no credits will be granted but that the role of the student advisors is now unclear, and may depend upon the willingness of individual professors to turn over control of the group to the student advisors.

Susan Zimmerman, a BSA director, has spent the summer mulling over the APC decision. She has found it surprising that a third party should intervene to block a program which has been agreed upon right from the start by faculty and students, a rare enough occurrence. Neither Zimmerman nor other sources claimed to understand, or be convinced by the reasons given by the APC. However, there is a feeling that the APC is antagonistic to the Law Faculty and sees the granting of extra-curricular credits as a way for law professors to reduce their own work load. Just before the BSA decision the APC allowed credits to be granted for extra-curricular mootings and for the position of Associate Editor of the Law Journal.

"If they're really concerned about granting extra-curricular credits they should sit down and rethink some of the other things they granted credits for," said Zimmerman. "I don't think they really understand what it is about and just decided to put their foot down."

Professor Rod MacDonald, this year both Associate Dean and Chairman of the Curriculum Committee, saw the APC decision as an "unholy alliance" between different factions on the committee. For example, student committee members were opposed because they felt the student advisors should be paid, whereas some professors on the committee were afraid of watering down standards. In any case, MacDonald pointed out, APC always requires extra justification for courses which go beyond the traditional classroom format. Even within the Law Faculty, there is no overall plan or rationale for such courses, so professors tend to vote for or against out-of-classroom proposals on an ad hoc basis.

MacDonald sympathizes with the students' concern for the future of the program. He wants to see the program brought again to Faculty Council for modification and hopefully to be re-presented to the APC by October at the latest. The greatest difficulty will be to modify the course so as to make it acceptable to the APC without stripping the student advisors of a meaningful role.

Another area of concern is that the program will lose the momentum it has gained through its success last year. Keeping the BSA intact and functioning this year, albeit in a reduced capacity, is an attempt to retain interest in the program. ■

L.U.S. TREASURER	\$	\$	\$	\$	\$
	\$	\$	\$	\$	JACQUES NADEAU

The L.U.S. is accepting budget submissions from all interested groups and societies until Wednesday, September 23.

All projected expenses and sources of funding and revenue should be contained in your submission, which can be left in the Treasurer's box in the L.U.S. office.

EDITORIAL

WELCOME (BACK) TO LAW SCHOOL

It may be neither tasteful nor very sensible to be entirely frank in what is both a greeting and the first editorial of a newspaper. Yet it would probably be a bit cynical to let on that there is a great deal to be happy about being here, beyond the fact that most of us are happy to be at a law school.

The simple fact is that for some reason, law school more resembles an "ordeal by fire" than "the quiet still air of delightful studies." And even among first year students why is it one detects more often a sense of impending doom than eager anticipation?

The level of dissatisfaction at our law faculty is high, and not just among students, for reasons that are too numerous to mention, not all of which are peculiar to McGill. The system, the one we are in, survived the sixties and seventies largely intact, and is due, if not overdue, for an overhaul.

The most common, possibly the worst, reaction is resignation -- acceptance of three or four years of hard time. Yet each year this alternative grows more difficult as the murmur of discontent grows louder. If last year is an indica-

tion, there seems to be a growing body of students who feel something can and should be done to improve both the quality of education and the quality of life in the Law faculty.

During the past two years, at various times, a line has been drawn between students and faculty and the issue has inevitably become one of confrontation. Yet a closer inspection of the problems reveals the dichotomy to be false, the issue of confrontation, irrelevant. The purely political problem here is a vacuum of ideas that is both perceived and real, although the perception is often different from the reality. It is not simply that ideas about the future of the Law faculty fail to flow between Faculty and students; within each group there is a wide array of diverse, often sharply conflicting, opinions.

Certainly the need for better communication has been recognized around here for at least the last two years. But only during last spring's LUS elections, after the expansion of the LUS Newsletter into Quid Novi, still in newsletter format, did the idea of a Law faculty newspaper begin to emerge as a feasible and practical response to the problem. A beginning has been made; but only if students and faculty treat Quid Novi as more than a convenient place to publicize events and notices has it any chance of fulfilling the role for which it has been created. For the moment, at least, the primary editorial goal of Quid Novi will be to report events which happen in the faculty and to air opinions on subjects relevant to the future of our faculty. But such a narrow statement of editorial policy must be construed widely within the broad context of factors which will determine the future of our faculty -- the law

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University Faculty of Law.

Editors: Ron Lucciola
Peter Dauphinee
Contributor:
Martine Turcotte

EDITORIAL

profession, and government and university policy, to name only the most obvious.

That much said, is it perhaps premature to suggest that the atmosphere of the school has improved perceptibly since last year? It is still early and, indeed, a student has a different perspective on Law School each year. Beyond that it may be accurate to report a lighter and more relaxed air than was evident last year. If so at least part of the credit for better faculty/student relations must go to Campbell Stuart who obviously has approached his official position in the faculty with a great deal of care and energy. Perhaps the channels of communication have already been opened to a degree not seen recently.

It is ironic, then, that Stuart should find himself at the centre of this year's first controversy. For the exam schedule which was circulated at last Thursday's meeting, and which Stuart terms "final" has not met with universal approval. Indeed some students were not only unhappy about the schedule itself, but also rather irate at the way it was made. They may have a point. Although the idea has supposedly been accepted by students for a couple of years, there was little if any discussion last year of the plan, or how it would be implemented. From where, then, does Stuart get the idea that he was empowered to take over a function that has in recent tradition fallen to the elected class presidents?

While the idea that students should have warning of the exam schedule before choosing their courses may be sound, the leap from there to the notion that we should adopt an early exam schedule as soon as one can be created is not.

There are too many competing factors to be weighed for the job to be done properly by a single individual or a small group of individuals. In the past the schedule has been worked out painstakingly by a group of elected representatives who, meanwhile, could consult with the people who had to follow the schedule -- us. This time not only was there no general consultation, but Stuart makes little mention in his explanation of the schedule of the principles he applied to get the result he did.

The argument of "early warning" is no justification for imposing a schedule that may not be as good as the ones we had in the past. Although in choosing courses it may be preferable to be able to consider the exam schedule, that is not, and should not be, a prime consideration. Students who, for one reason or another do not or can not alter their choice of courses, have the right to expect that the best possible exam schedule will be arrived at. That has not been the case this term.

Unfortunately, it is probably too late to try to improve the schedule now since a great many students have already altered their programs to suit it. Stuart should realize, however, that some matters are too complex for a "can-do" solution.

Peter Dauphinee

WHAT'S WHAT

BY MARTINE TURCOTTE

This is the first article of a series on the different groups existing in the Law Faculty. Its purpose is to provide some sort of historical background and to generate interest amongst students.

INTERNATIONAL LAW SOCIETY

The McGill International Law society was officially founded in January 1980 by two law students: Carl Pike and Peter Splinter. According to its constitution, the society is "dedicated to the advancement of the understanding and promotion of International Law as one of the guiding factors in the peaceful relations between states." In doing so, it has been involved in an extensive speakers programme. Last year's theme was the North-South Dialogue. Distinguished guests were invited to speak on this issue such as Mr. Joe Morris, member of the Independent Commission on International Development Issues, Mr. Andronico Adede, legal officer with the Office of Legal Affairs, United Nations' Secretariat, and many others. This year the society will again offer a speakers programme on the theme of International Conflicts. Also, small discussion groups will meet under the supervision of a guest speaker in order to discuss such subjects as terrorism, trade (GATT), cultural and religious conflicts, resolution of international disputes, humanitarian law, disarmament, etc. There is also a tentative project to launch a journal of international law which would be concerned mainly with the protection of human rights. Other events will take place during the year such as a wine and cheese party, as well as the annual convention of the Canadian Association of International Law in Ottawa.

The Society extends a warm welcome to anyone who is interested in becoming a member. To do so, simply come to the general meeting which will be held in the near future.

If you have any questions, feel free to contact Robin Sully (President), Martine Turcotte (Treasurer) or Anne Charron (Secretary).

NEXT WEEK: JOB BANK COMMITTEE

ADMINISTRATION

THE ASSOCIATE DEAN'S OFFICE

The Associate Dean (Academic) is the officer of the Faculty who is responsible for all matters relating to the academic program of students. Applications for outside credits, course changes, and essays as well as problems relating to course selection, degree streams, timetabling and administration of the various academic regulations of the Faculty are coordinated through the Associate Dean, Professor R.A. Macdonald.

Students who wish to discuss a matter of academic policy or any particular circumstance related to their legal studies should feel free to contact the Associate Dean.

In addition, applications for leaves of absence, medical certificates and the like can be made through the Associate Dean's office.

Students are reminded that they are responsible for informing the Faculty, through the Associate Dean, of all matters which may influence their academic performance, or their programme of studies in the Faculty.

OMBUDSPERSON

RENÉE VÉZINA

You've sliced your finger twice on a Acco fastener today, the bookstore closed just as your turn came up, the work load is too heavy, the exams are too close together, the courses all seem dead-ly.

Not all days will be like this -- there will be some good ones as well -- but if things seem unmanageable and you feel overwhelmed, the ombudsperson may be able to help out.

The ombudsperson is appointed by the L.U.S. to create a liaison between students and faculty in case of any misunderstanding, or in case any student feels too shy to approach a professor directly.

So if you have any kind of problem -- get in touch at the L.U.S. office, even only to let off steam -- or to pick up a bandaid! ■

BEATRICE VIZKELETY ON

WOMEN IN THE LEGAL PROFESSION

Students rifling through the job bank Book -- the listing of law firms in the Montreal area -- will be dismayed to discover that some reputable, nay prestigious, law firms brazenly express their preference for male applicants.

Is the legal profession still wallowing in medieval attitudes towards women? Has the profession never heard of equal opportunity employment? Are there no standards set down and enforced by the Bar Association concerning discrimination in employment? What progress has been made?

Beatrice Vizkelety, investigator and litigator for the Human Rights Commission of Quebec, will answer these and other questions about Women in the Legal Profession in a talk to be given on Friday, September 18 at 1:00 in the Moot Court. Everyone welcome. Bring your lunch, and your indignation. ■

FACULTY COUNCIL REP.

HELENA LAMED

All students and professors, particularly those of first year classes, are urged to form class committees of two or three students to function as liaison between the professor and the class as a whole.

Many students, especially (but not only) those in first year, are simply too over-awed to approach the professor directly with any problem they may have with the course, particularly if the comment constitutes a veiled criticism.

The class committee is a most effective vehicle to deal with situations where, for instance, the professor's outline is not detailed enough and the weekly reading assignments are not specified, or where the professor speaks too quickly, or has not clarified a crucial area of the course.

The class committee can deal effectively with these details by bringing them quickly to the professor's attention. When the students perceive the professor's responsiveness to their problems and suggestions, they will be less timid to approach him or her directly the next time. ■

JOIN THE LEGAL RESEARCH AND INFORMATION GROUP!!!

LIRG will be working this year with the Legal Aid clinic in its lecture program and radio shows.

LIRG is also planning to advertise its summer publications (a Community Law Manual, a Quebec Guide to Immigration Law, Legal Education Kits,...) and distribute public legal information in various ways such as a press conference.

GET INVOLVED!

Leave your name and phone number at the Legal Aid Clinic.

A meeting will be held Monday, September 21 at 5:00 PM at the Legal Aid office, in the union building.

First year students are more than welcome! ■

SPORTS BRIEFS

FEELING FRUSTRATED WITH LAW SCHOOL ALREADY? LOOKING FOR A WAY TO RELEASE YOUR HOSTILITIES? INTERESTED IN MEETING NEW AND EXCITING PEOPLE?

Consider joining an intramural sports team. We have men and women's teams to suit everyone's taste: Flagball, ice and floor hockey, basketball, inner tube water polo -- just to name a few. We play for fun so it doesn't matter if you've never participated in the sport or if you feel your cardiovascular system isn't up to Olympic standards -- it'll soon improve. So sign up for a team. You won't regret it. Check the sports notice board in the basement for details, or contact Christine Tanner, Vonnice Eng or Roger Cutler. ■

A TOUS LES ETUDIANT(E)S DE DEUXIEME ET DE TROISIEME (*) ANNEE:

Les personnes intéressées à participer à la Revue de droit de McGill sont priées de remettre une copie de leur C.V. à nos bureaux au sous-sol du Old Chancellor Day Hall au plus tard le lundi 21 septembre 1981. Prière d'indiquer votre désir de travailler au niveau de l'administration ou de la rédaction.

Si vous avez quelque question, n'hésitez pas à venir rencontrer un membre du Comité de rédaction ou à nous téléphoner au 845-8824.

* inscrit(e)s au programme national.

***** COMING EVENTS *****

Wednesday, September 16:

- * Softball - Profs. v. Students. McTavish Reservoir, 1:00 p.m. Students who would like to play should contact Fred Hoefert.

Thursday, September 17:

- * 1:00 p.m. - Moot Court General Assembly. All students (especially first year) should attend. Items on the agenda include B.S.A., L.U.S. Constitution, and the cafeteria.
- * 4:00 p.m. - Rm. 202 Faculty Council Meeting. Open meeting. See this Faculty's law makers in action.
- * 8:00 p.m. - Union Ballroom Dean's Reception. McGill Law I.D. card is required for admission, as the Dean is picking up the tab.

Friday, September 18:

- * 1:00 p.m. Moot Court Beatrice Vizkelety will speak on Discrimination against Women in the Legal Profession.
- * 4:00 p.m. - Moyse Hall, Arts Building. Principal David Johnston will present a paper entitled "Law at McGill, The Past and The Future." Students are welcome.
- * 5:00 p.m. - Cafeteria Renovations - Sign up to help paint the caf. Cheap beer.

Tuesday, September 22:

- * 1:00 p.m. - Common Room Wine & Cheese - McGill International Law Society